

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

KY'SHAWN HYNEMAN-PRUITT,

Plaintiff,

v.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

Case No. C23-5598 RSM

**ORDER ACCEPTING LATE BRIEF
AND AMENDING SCHEDULING
ORDER**

Plaintiff's Opening Brief was due by October 6, 2023. Dkt. 7 at 1. Plaintiff failed to timely file, but filed an Opening Brief on October 7, 2023, without explanation. Dkt. 8. Plaintiff filed the instant motion on October 16, 2023 and explained that the brief was not timely sent "due to a filing error." Dkt. 9 at 1. Plaintiff also asked the Court to admit the late submission and give Defendant extra time to respond. *Id.*

As stated in the Court's Scheduling Order, "dates and page limitations are firm and can be changed only by order of the Court, not by agreement of counsel or the parties." Dkt. 7 at 1. Plaintiff's counsel is reminded to adhere to the Court's orders. Nevertheless, to avoid prejudice to Plaintiff, the Court accepts Plaintiff's late-filed Opening Brief. To avoid prejudice to Defendant, the Court hereby **AMENDS** the Scheduling Order as follows:

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ORDER ACCEPTING LATE BRIEF AND
AMENDING SCHEDULING ORDER - 1

- Defendant's Response Brief is due November 6, 2023.
- Plaintiff's Optional Reply Brief is due November 20, 2023.

DATED this 18th day of October, 2023

A handwritten signature in black ink, appearing to read 'R. Martinez', written over a horizontal line.

Ricardo S. Martinez
United States District Judge